

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

ROBERT HOPKINS, III,

*Plaintiff,*

v.

DEPARTMENT OF DEFENSE,

*Defendant.*

No. 3:22-CV-00706-E

**DEFENDANT’S MOTION TO DISMISS  
AND FOR SUMMARY JUDGMENT**

Defendant the Department of Defense respectfully moves to dismiss or for summary judgment on all of Plaintiff Dr. Robert Hopkins, III’s claims in this matter pursuant to Federal Rules of Civil Procedure 12 and 56. Because the Court lacks subject-matter jurisdiction over Dr. Hopkins’s challenges to the procedures used to process his manuscripts, those claims should be dismissed; to the extent any of those claims survive dismissal, and with respect to Dr. Hopkins’s challenges to the Department’s redactions, the Department is entitled to summary judgment. Each of the matters required by Local Rule 56.3(a) will be set forth in the Department’s supporting brief, enclosed herein. The Department’s motion is supported by an Unclassified Appendix and a proposed order, both of which are

also enclosed herein, as well as a Classified Appendix, which has been lodged for the Court's *ex parte, in camera* consideration.

Dated: October 4, 2023

Respectfully submitted,

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Principal Deputy Assistant Attorney General

MARCIA BERMAN  
Assistant Branch Director

/s/ John T. Lewis

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*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 4, 2023, a copy of the foregoing was filed electronically via the Court's ECF system, which effects service upon counsel of record.

/s/ John T. Lewis  
John T. Lewis